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APRIL 16, 2025

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April 16, 2025

Magistrate Judge Taryn A. Merkl  
Eastern District of New York  
225 Cadman Plaza East  
Chambers 1420 South, Courtroom 13D South  
Brooklyn, New York 11201

Re: *Finkelstein v. Bical*, Case No.: 1:23-cv-  
00049-LDH-TAM, Status Update re Service of  
Process on New Defendants

Dear Judge Merkl,

To remind the Court, respectfully, I am Plaintiff Pro Se in this matter. I write to provide a brief status update with respect to the Court's April 2, 2025, Order (ECF No. 64, "Order") granting Plaintiff's motion for leave to amend the Complaint.

First, Plaintiff writes to advise the Court that he has filed the Amended Complaint on the docket in accord with the Court's Order. *See* ECF No. 65. For the avoidance of doubt or confusion, Plaintiff notes that the Amended Complaint at ECF No. 65 differs extremely minimally from the proposed amended complaint at ECF No. 56-1. The only differences are updates to the date and caption for accuracy, including the substitution of Judge Bulsara for Judge Merkl. The Amended Complaint is otherwise identical to the proposed amended complaint.

Moreover, the Order also required that Plaintiff file and serve any summons to effectuate service on the new defendants. *See* Order at 9. Plaintiff conferred with Defendant Bical's counsel – Mr. Rick Kim Esq., of the LaBonte law firm – and the LaBonte firm has affirmed that they will represent the new defendants, and have likewise agreed to accept service on behalf of the new defendants. Plaintiff has effectuated service via email of the filed complaint to Mr. Rick Kim, Esq. *See* email chain attached as **Exhibit A**.

I thank You very much for Your attention to this matter.

Very truly yours,

Stuart H. Finkelstein

/s/ Stuart H. Finkelstein

Pro se Plaintiff  
FCC Coleman Low camp  
Coleman, Florida 33521  
(352) 689-4000

To all Counsel via ECF and Chambers Email

# **Exhibit A**



Stuart Finkelstein <stuarthfinkelstein@gmail.com>

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**Finkelstein v. Bical, Case No.: 1:23-cv-00049-LDH-SJB**

5 messages

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**Stuart Finkelstein** <stuarthfinkelstein@gmail.com>

Sun, Apr 13, 2025 at 1:45 PM

To: Rick Kim <rkim@labontelawgroup.com>, shlesq@gmail.com, mgould@labontelawgroup.com

Rick,

Hope you are well. Writing re Finkelstein v. Bical. In light of the Judge's recent order granting leave to amend, and in the interests of judicial economy and not wasting the Court's time or our collective time and resources, will you accept service on behalf of the new defendants? Thanks.

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**Stuart Finkelstein** <stuarthfinkelstein@gmail.com>

Tue, Apr 15, 2025 at 8:30 AM

To: Rick Kim <rkim@labontelawgroup.com>, shlesq@gmail.com, mgould@labontelawgroup.com

Mr. Kim,

Following up on this. Please let me know. Thanks.

[Quoted text hidden]

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**Rick Kim** <rkim@labontelawgroup.com>

Tue, Apr 15, 2025 at 3:06 PM

To: Stuart Finkelstein <stuarthfinkelstein@gmail.com>

We will accept service.

Rick C. Kim, Esq.

LaBonte Law Group, PLLC

333 Jericho Turnpike, Suite 200

Jericho, New York 11753

rkim@labontelawgroup.com – E-mail

516-280-8580 – Phone

631-794-2434 – Fax



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[Quoted text hidden]

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**Stuart Finkelstein** <stuarthfinkelstein@gmail.com>  
To: Rick Kim <rkim@labontelawgroup.com>

Tue, Apr 15, 2025 at 6:19 PM

Great, thank you. Once we have the filed version, I will email it to you as formal service.

[Quoted text hidden]

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**Stuart Finkelstein** <stuarthfinkelstein@gmail.com>  
To: Rick Kim <rkim@labontelawgroup.com>

Wed, Apr 16, 2025 at 9:30 PM

Hi Rick,

Following up re *Finkelstein v. Bical*, Case No.: 1:23-cv-00049-LDH-TAM (E.D.N.Y. 2023).

In light of your agreement to accept service of the Amended Complaint on behalf of the newly added defendants, please consider this email of the attached filed Amended Complaint (ECF No. 65) as official service of process on Kristal Auto Mall Corp.; Bical Chevrolet Corporation; Nadia Development, LLC; Bical Realty Corp.; and Bical Development Inc.

Thank you.

All the best,  
Stuart H. Finkelstein

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 **ECF No. 65 - Amended Complaint.pdf**  
271K